

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

State of Oklahoma, et al.,)	
)	
Plaintiffs,)	Civil No. 05-CV-0329 GKF-SAJ
)	
v.)	
)	
Tyson Foods, Inc., et al.,)	
)	
Defendants.)	
)	

**THE CARGILL DEFENDANTS'
ADVICE TO THE COURT**

Through the course of this litigation, the Cargill Defendants and their attorneys have made various statements to the Court reflecting their understanding that, since October 2005, all poultry litter generated at Cargill Turkey Production's six breeder farms in Arkansas had been transported out of the Illinois River Watershed. The Cargill Defendants have recently learned that, contrary to CTP policy, a small portion of some of the poultry litter generated at some of the farms was in fact land-applied or composted on those farms. The Cargill Defendants are in the process of supplementing their responses to plaintiffs' written discovery requests to reflect this new information. Inasmuch as plaintiffs have not yet taken the depositions of any Cargill personnel on substantive issues, no correction of any deposition testimony is necessary.

The attorneys for the Cargill Defendants have reviewed the Court's Orders, and it does not appear that the Court relied on these particular facts in whole or in part in ruling on any motion or in making any other order. Nevertheless, in keeping with their duty of candor as

officers of the Court, the Cargill Defendants' attorneys wanted to make the Court aware of this new information.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on the 13th day of May, 2008, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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